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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**FULTON III, et al.**

**Serial No. 10/628,090**

Filed: July 25, 2003

For: **BIOPSY LOCALIZATION  
METHOD AND DEVICE**

Group Art Unit: 3736

Examiner: Brian Scott Szmaj

**SECOND STATUS INQUIRY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

No office action or other communication on the above application has been received since the Notice of Publication received on January 19, 2005. Applicant respectfully requests to be informed of the status of the application. Please direct your response to the undersigned.

Respectfully submitted,  
O'MELVENY & MYERS LLP

Dated: October 7, 2005

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CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

October 7, 2005  
Date of Deposit  
NB1:665466.1

*Cynthia B. Pacheco*  
Cynthia B. Pacheco